

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

RANDALL L. COWGER,

Plaintiff,

v.

Civil Action No. 1:07-CV-59

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

**ORDER GRANTING PLAINTIFF'S APPLICATION TO PROCEED IN FORMA
PAUPERIS**

On May 1, 2007, Randall Cowger, ["Claimant"], filed a complaint for review of Defendant's denial of his application for Social Security benefits pursuant to 42 U.S.C. § 405(g) and an Application for Leave to Proceed in forma pauperis. Claimant's application to proceed in forma pauperis reveals he has been employed part-time as a mechanic since April 2, 2007 and earns \$75 - \$125 per week in this position. Within the past twelve months, Claimant has received \$155 per month in food stamps. Claimant does not have a checking or savings account and does not own any real estate, stocks, bonds, securities, or financial instruments. Claimant does own a 1982 Dodge truck valued at \$1000 and a 1963 house trailer valued at \$300. Claimant does not have any dependents.

Accordingly, it is ORDERED that Claimant's May 1, 2007 Application to Proceed in forma pauperis is GRANTED. **This Court notes that Claimant's IFP application states Claimant is employed, which appears on its face to be inconsistent with his claim for disability benefits.** The Clerk of the Court is directed to notify the United States Marshal Service who shall serve process pursuant to Federal Rule of Civil Procedure 4(c)(2). Any

recovery in this action will be subject to payment of fees and costs, including service of process fees and the \$350.00 filing fee.

DATED: September 7, 2007

/s/ James E. Seibert
JAMES E. SEIBERT
UNITED STATES MAGISTRATE JUDGE